



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

9/10/98

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

Mr. David P. Novello, Esq.
Freedman, Levy, Kroll & Simonds
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5366

Dear Mr. Novello:

Thank you for your September 1, 1998 letter expressing concern about notice and comment issues that you believe have arisen in connection with the maximum achievable control technology (MACT) rulemaking for hazardous waste combustors. Specifically, you note that, based on trade press materials and conversations with Agency staff, the staff may be considering emission standard-setting procedures that have not have been adequately noticed to the public for review and comment.

First, I would like to offer my appreciation for the time and effort you and your colleague stakeholders have spent in reviewing and extensively commenting on our eight Federal Register notices published over the last four years, and in your active participation in the myriad stakeholders meetings held to discuss the issues raised in these notices and by your comments. Second, I want to assure you that the Agency will continue to comply fully with the Administrative Procedure Act in developing the final MACT rule for hazardous waste combustors. As the many notices and stakeholder meeting attest, we are committed to ensuring a fair and reasonable opportunity for the public to have input into our rulemaking process.

I hope this addresses your concerns. If you have further questions or comments regarding the hazardous waste combustor MACT standards, please feel free to contact David Hockey, Project Director, National Hazardous Waste Combustion Strategy, at (703) 308-8846.

Sincerely,

Michael Shapiro
Acting Deputy Assistant Administrator

Faxback 14324